

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In re JESSICA JACKSON and MELISSA  
BODIFORD, Minors

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DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

SHIRLEY PHILLIPS,

Respondent-Appellant,

and

JESSE JACKSON and TOMMY BODIFORD,

Respondents-Appellees.

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Before: Doctoroff, P.J., and Cavanagh and Saad, J.J.

PER CURIAM.

Respondent-appellant is the biological mother of the two children named in this matter. After the juvenile court assumed jurisdiction over the children pursuant to a neglect petition filed by petitioner, the court changed custody of the children from respondent to the children's fathers, Jesse Jackson and Tommy Bodiford. The juvenile court then dismissed petitioner's action. Respondent appeals as of right from the juvenile court's January 11, 1996 order of disposition changing custody of the children. We affirm.

Respondent first argues that the juvenile court lacked jurisdiction to change custody of the children because only the circuit court had the legal authority to change custody. We disagree. MCL 712A.18(1)(b); MSA 27.3178(598.18)(1)(b) provided the juvenile court with the legal authority to

place the children with their fathers after conducting a dispositional hearing. MCR 5.973(A)(5) allowed the court to order this relief if it was in the children's best interests.

Furthermore, there is no conflict between the juvenile court's jurisdiction and the circuit court's jurisdiction. The juvenile court had the authority to act on all matters related to the petition for abuse or neglect of the children. All other custody issues are to be resolved in the circuit court. *In re Brown*, 171 Mich App 674, 676-677; 430 NW2d 746 (1988). The juvenile court did not exceed its authority when it changed custody of the children to resolve the neglect petition. Respondent urges this panel to reject the holding in *In re Brown, supra*. We decline to do so because respondent has not persuaded us that the case was wrongly decided.

Finally, respondent argues that the juvenile court erred in changing custody of the children on the facts of this case. We disagree. The court's findings were not clearly erroneous. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). A preponderance of the evidence at the dispositional hearing supported the change of custody given that the children were doing well while living with their fathers and respondent had not made any significant progress on her treatment plan. *In re Brown, supra* at 678.

Affirmed.

/s/ Martin M. Doctoroff

/s/ Mark J. Cavanagh

/s/ Henry W. Saad